



**Service of Process
Transmittal**
09/16/2011
CT Log Number 519164618

TO: Tracey Wild, Vice President
NCO Financial Systems, Inc.
150 Crosspoint Parkway, Crosspoint Business Park
Getzville, NY 14068-

RE: **Process Served in Missouri**

FOR: NCO Financial Systems, Inc. (Domestic State: PA)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Ryan Okenfuss, Pltf. vs. NCO Financial Systems, Inc., Dft.

DOCUMENT(S) SERVED: Notice(s) and Acknowledgment Form(s), Summons, Petition

COURT/AGENCY: In the 20th Judicial Circuit Court, Franklin County, MO
Case # 11ABAC01977

NATURE OF ACTION: A petition for violation of the fair debt collection practice act and of the telephone consumer protection act by using an automatic telephone dialing system or pre-recorded or artificial voice without Pltf.'s prior express consent

ON WHOM PROCESS WAS SERVED: C T Corporation System, Clayton, MO

DATE AND HOUR OF SERVICE: By Regular Mail on 09/16/2011 postmarked: "Illegible"

JURISDICTION SERVED : Missouri

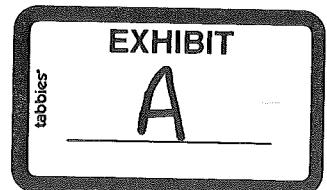
APPEARANCE OR ANSWER DUE: Within 30 days after service, exclusive of date of service - Answer // Within 30 days of 9/12/11 - Complete and Return Acknowledgment Form

ATTORNEY(S) / SENDER(S): Steven R White
Purschke, White, Robinson & Becker LLC
316 E Locust St
Union, MO 63084
636-583-5760

ACTION ITEMS: CT has retained the current log, Retain Date: 09/16/2011, Expected Purge Date: 09/21/2011
Image SOP
Email Notification, Tracey Wild Tracey.Wild@ncogroup.com
Email Notification, Michelle Lyon MLYON@SESSIONS-LAW.biz
Email Notification, Becky Penski Becky.Penski@ncogroup.com
Email Notification, Kathleen Treuil ktreuil@sessions-law.biz
Email Notification, Erik Podbutzky erik.podbutzky@ncogroup.com
Email Notification, Shannon O'Connell shannon.oconnell@ncogroup.com
Email Notification, Dana Alexander dana.alexander@ncogroup.com

SIGNED:
PER:
ADDRESS: C T Corporation System
Meghan Saffell
120 South Central Avenue
Suite 400
Clayton, MO 63105

TELEPHONE: 314-863-5545



Page 1 of 1 / WE

Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting said documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of package only, not contents.

IN THE CIRCUIT COURT OF FRANKLIN COUNTY
ASSOCIATE JUDGE DIVISION
STATE OF MISSOURI

RYAN OKENFUSS,)	
)	Case Number:
Plaintiff,)	11AB-AC01977
)	
vs.)	
)	
NCO FINANCIAL SYSTEMS, INC.,)	Division VI
)	
Defendant.)	

NOTICE AND ACKNOWLEDGMENT FOR SERVICE BY MAIL

TO: The Corporation Company-Registered Agent
120 South Central Ave.
Clayton, MO 63105

The enclosed summons and petition are served pursuant to Missouri Supreme Court Rule 54.16.

You may sign and date the acknowledgment part of this form and return one copy of the completed form to the sender within thirty days of:

9-12-11

Date

If you are served on behalf of a corporation, unincorporated association, including a partnership, or other entity, you must indicate under your signature your relationship to that entity. If you are served on behalf of another person and you are authorized to receive process, you must indicate under your signature your authority.

If you do not complete and return the form to the sender within thirty days, you or the party on whose behalf you are being served may be required to pay any expenses incurred in serving a summons and petition in any other manner permitted by law.

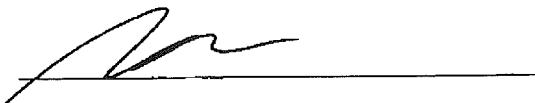
If you do complete and return this form, you or the party on whose behalf you are being served must comply with the requirements of the summons. If you fail to do so, judgment by default may be taken against you for the relief demanded in the petition.

I DECLARE, UNDER PENALTY OF PERJURY, THAT THIS NOTICE WAS
MAILED ON

9-12-11

Date

Signature:



ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND PETITION

I declare, under penalty of filing a false affidavit, that I received a copy of the Summons and of the Petition in the above captioned matter.

Signature

Relationship to Entity/Authority

Receive Service of Process

Date Signed

IN THE CIRCUIT COURT OF FRANKLIN COUNTY
ASSOCIATE JUDGE DIVISION
STATE OF MISSOURI

RYAN OKENFUSS.)
Plaintiff,) Case Number:
vs.) 11AB-AC01977
NCO FINANCIAL SYSTEMS, INC.,) Division VI
Defendant.)

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If you do not complete and return the form to the sender within thirty days, you or the party on whose behalf you are being served may be required to pay any expenses incurred in serving a summons and petition in any other manner permitted by law.

If you do complete and return this form, you or the party on whose behalf you are being served must comply with the requirements of the summons. If you fail to do so, judgment by default may be taken against you for the relief demanded in the petition.

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MAILED ON

9-12-11

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Signature:



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Signature

Relationship to Entity/Authority
Receive Service of Process

Date Signed



IN THE 20TH JUDICIAL CIRCUIT COURT, FRANKLIN COUNTY, MISSOURI

Judge or Division: DAVID L HOVEN	Case Number: 11AB-AC01977
Plaintiff/Petitioner: RYAN OKENFUSS	Plaintiff's/Petitioner's Attorney/Address: STEVEN R WHITE 316 E LOCUST ST UNION, MO 63084
vs.	
Defendant/Respondent: NCO FINANCIAL SYSTEMS, INC.	Court Address: FRANKLIN COUNTY CIRCUIT CLERK 401 EAST MAIN ST, RM 100A UNION, MO 63084

Nature of Suit:
AC Property Damage

COURT DATE: NOVEMBER 7, 2011
TIME: 09:00 A.M.

(Date File Stamp)

Summons for Service by First Class Mail

The State of Missouri to: NCO FINANCIAL SYSTEMS, INC.

Alias:

% THE CORPORATION COMPANY
120 S CENTRAL AVENUE
UNION, MO 63105



You are summoned and, within 30 days after the enclosed acknowledgment is filed, you must file an answer to the enclosed petition with the clerk of this court and also must serve this answer upon Plaintiff's/Petitioner's attorney at the above address. If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition.

9-8-11
Date Issued

Sheeley Selsby
Clerk

Further Information:

Directions to Clerk

The clerk should issue one copy of this summons for each Defendant/Respondent to be served by first class mail. Under Section 506.150.4, RSMo, service by first class mail may be made by Plaintiff/Petitioner or any person authorized to serve process under Section 506.140, RSMo.

**IN THE CIRCUIT COURT OF FRANKLIN COUNTY
ASSOCIATE JUDGE DIVISION
STATE OF MISSOURI**

Ryan Okenfuss)
PLAINTIFF,)
) CIVIL ACTION NO.:

VS.)
)
)
) JURY TRIAL DEMANDED

NCO Financial Systems, Inc.,)
) UNLAWFUL DEBT COLLECTION
DEFENDANT) PRACTICES

PETITION FOR DAMAGES

I. INTRODUCTION

1. Plaintiff alleges violation of the Fair Debt Collection Practices Act, 15 U.S.C. §1692 *et seq.* ("FDCPA") and the Telephone Consumer Protection Act, 47 U.S.C §227, *et seq.* ("TCPA").

II. JURISDICTION AND VENUE

2. This Court has jurisdiction under 28 U.S.C. §§1331, 1337, 1367 and 15 U.S.C. §1692k. Venue in this County is proper because Plaintiff resides here and Defendant placed telephone calls into this County.

III. PARTIES

3. Plaintiff is a natural person residing in the County of Franklin, State of Missouri.
4. Defendant NCO Financial Systems, Inc. (hereinafter referred to as "NCO") is a Corporation organized pursuant to the laws of the State of Pennsylvania, doing business in the State of Missouri.

5. Defendant is engaged in the collection of debts from consumers using the mail, facsimile transmission and telephone.

6. Defendant regularly attempts to collect consumer debts it purchases after default and/or consumer debts alleged to be due to another.

7. Defendant is a "debt collector" as defined by the FDCPA, 15 U.S.C. § 1692a(6).

8. The acts of Defendant alleged hereinafter were performed by its employees acting within the scope of their employment with Defendant, and with its actual or apparent authority.

IV. FACTUAL ALLEGATIONS

9. Defendant left phone messages on Plaintiff's cellular phone line during February, 2011 in an effort to collect on a debt which was allegedly originally owed to another entity not a party to this litigation.

10. The alleged obligation is a consumer debt as defined in 15 U.S.C. § 1692a(5).

11. Defendant used an automatic telephone dialing system or a pre-recorded or artificial voice to place telephone calls to Plaintiff's cellular telephone.

12. Plaintiff did not expressly consent to Defendant's placement of telephone calls to Plaintiff's cellular telephone by the use of an automatic telephone dialing system or a pre-recorded or artificial voice prior to Defendant's placement of the calls.

13. None of Defendant's telephone calls placed to Plaintiff were for "emergency purposes" as specified in 47 U.S.C § 227 (b)(1)(A).

COUNT I
VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT

14. Plaintiff incorporates herein by reference each and every prior allegation and fact as though fully restated and re-alleged.

15. Defendant's actions violated the FDCPA. The violations include, but are not limited to, the following:

- (a) Defendant violated 15 U.S.C. § 1692e(11) when it left messages on Plaintiff's residential phone line which failed to indicate that the communication was from a debt collector;
- (b) Defendant violated 15 U.S.C. § 1692d(6) when it left messages on Plaintiff's residential phone line which failed to provide meaningful disclosure of Defendant's identity;

16. As a result of the above violations of the FDCPA, the Defendant is liable to the Plaintiff for statutory damages, and costs and attorney's fees.

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

- A. Statutory damages pursuant to 15 U.S.C. § 1692k;
- B. Costs and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k;
- C. For such other and further relief as may be just and proper.

COUNT II
VIOLATION OF THE TELEPHONE CONSUMER PROTECTION ACT (TCPA)

17. Plaintiff incorporates herein by reference each and every prior allegation and fact as though fully restated and re-alleged.

18. Defendant placed non-emergency telephone calls to Plaintiff's cellular telephone using an automatic telephone dialing system or pre-recorded or artificial voice without Plaintiff's prior express consent in violation of 47 U.S.C § 227 (b)(1)(A)(iii).

19. Defendant willfully or knowingly violated the TCPA.

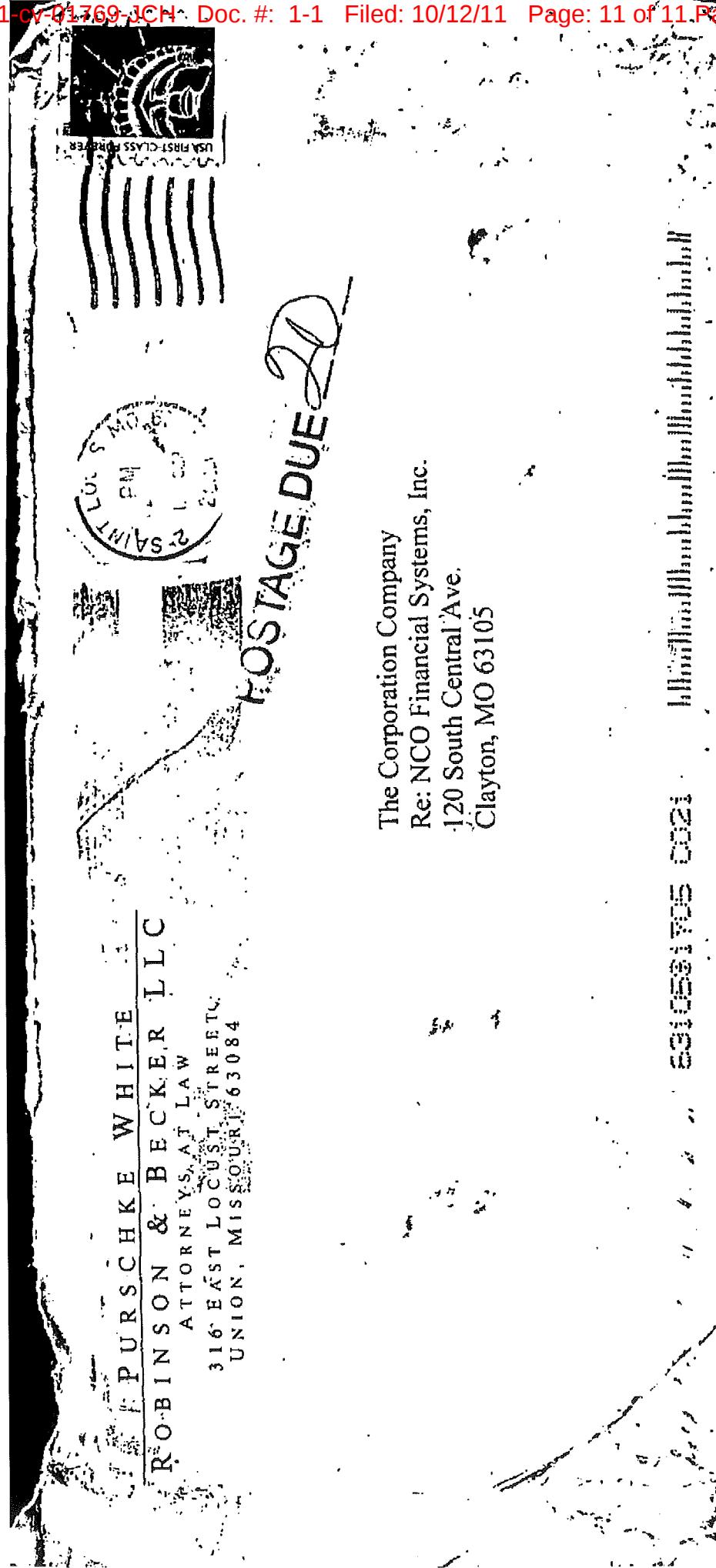
WHEREFORE, Plaintiff prays for judgment against defendant for statutory damages of \$500.00 per call, additional damages of up to \$1,000.00 per call, and for such other and further relief as the Court may deem just and proper in this cause.

PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY

Respectfully submitted,


s/ Steven R. White

Puschke, White, Robinson & Becker LLC
Steven R. White, #45595, #45595MO
316 E. Locust
Union, MO 63084
white@puschkewhite.com
(636)583-5760 Fax: (866)804-1569
Attorney for Plaintiff



PURSCHKE WHITE
ROBINSON & BECKER LLC
ATTORNEYS AT LAW
316 EAST LOCUST STREET
UNION, MISSOURI 63084

The Corporation Company
Re: NCO Financial Systems, Inc.
120 South Central Ave.
Clayton, MO 63105